IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

O.J.APPEAL NO. 27 OF 2007
WITH
CIVIL APPLICATION NO. 56 OF 2007

For Approval and Signature:

HONOURABLE MR. JUSTICE B.J.SHETHNA
AND
HONOURABLE MR.JUSTICE H.B.ANTANI

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1 Whether Reporters of Local Papers may be allowed to see the judgment?

2 To be referred to the Reporter or not?

3 Whether Their Lordships wish to see the fair copy of the judgment?

4 Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any Order made thereunder?

5 Whether it is to be circulated to the Civil Judge?

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PRIME FLOOR TILES PVT. LTD. - Appellant
Versus
HINDUSTAN PETROLEUM CORPORATION LTD. - Opponent

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Appearance :
MR DIPAK R DAVE for the Appellant.
MS MINOO A SHAH for the Opponent.

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CORAM : HONOURABLE MR. JUSTICE B.J.SHETHNA

and

HONOURABLE MR.JUSTICE H.B.ANTANI

Date : 02/03/2007

ORAL JUDGMENT

(Per : HONOURABLE MR. JUSTICE B.J.SHETHNA)

This appeal is almost identical to O. J. Appeal No. 26 of 2007, except the fact that Shell Gas (LPG) India Pvt. Ltd. is not there in the matter and that the amount is slightly different. Rest of the facts and the parties are same. Under these circumstances, there is no question of interfering with the order dated December 14, 2006 passed by the learned Company Judge in Company Petition No. 4 of 2006 in this appeal, and this appeal is also required to be dismissed for the reasons recorded in O. J. Appeal No. 26 of 2007. Accordingly, it is dismissed. No costs.

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As the appeal is dismissed, this Civil Application is also dismissed. Interim relief granted earlier stands vacated. Rule discharged.

[B. J. SHETHNA, J.]

[H. B. ANTANI, J.]

/shamnath